

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

Caption in compliance with D.N.J. LBR 9004-1(b)

McCARTER & ENGLISH, LLP

Charles A. Stanziale, Jr.

Jeffrey Testa

Four Gateway Center

100 Mulberry Street

Newark, NJ 07102

Telephone: (973) 622-4444

Email: cstanziale@mccarter.com

Email: jtesta@mccarter.com

*Counsel to Benjamin A. Stanziale, Jr.,
the Chapter 7 Trustee*

In re:

JOHN M. MAVROUDIS AND RIO VISTA
RENTALS LLC,

Debtors.

Case No.: 13-38118 (MBK)

Chapter 7

(Jointly Administered)

Hearing Date: August 29, 2016 at 10:00 a.m.

**CHAPTER 7 TRUSTEE'S RESPONSE TO WILLIAM SHUBERT'S OBJECTION
TO THE NOTICE OF PROPOSED ABANDONMENT [DOCKET NO. 343]**

Benjamin A. Stanziale, Jr., solely in his capacity as the duly appointed Chapter 7 Trustee (the "Chapter 7 Trustee") for the bankruptcy estates of John M. Mavroudis ("Mavroudis") and Rio Vista Rentals LLC ("Rio Vista", and together with Mavroudis, the "Debtors"), by and through his undersigned attorneys hereby submits this Response (the "Response") to William Shubert's objection to the notice of proposed abandonment [Docket No. 343] (the "Objection").

In support thereof, the Chapter 7 Trustee respectfully represents as follows:

1. On December 31, 2013 (the "Petition Date"), Mavroudis filed a voluntary petition for relief under Chapter 11 of the Bankruptcy Code in the Bankruptcy Court and initiated Case No. 13-38118 in the Bankruptcy Court (such case, including, without limitation, the subsequent Chapter 7 case, collectively, the "John Mavroudis Bankruptcy Case").

2. Pursuant to an Order [Case No. 13-38118, Docket No. 176], entered on June 18, 2014 (the “Conversion Date”), the Bankruptcy Case under Chapter 11 of the Bankruptcy Code was converted to a case under Chapter 7 of the Bankruptcy Code.

3. On the Conversion Date, the Office of the United States Trustee for the District of New Jersey appointed Benjamin A. Stanziale, Jr., as the Chapter 7 Trustee of Mavroudis. *See Notice of Appointment of Trustee* [Case No. 13-38118, Docket No. 177].

4. On July 18, 2014, following the meeting of creditors conducted in the John Mavroudis Bankruptcy Case pursuant to Section 341 of the Bankruptcy Code, the Chapter 7 Trustee became the duly appointed, qualified, and serving permanent Trustee in the John Mavroudis Bankruptcy Case.

5. On August 13, 2014, the Chapter 7 Trustee filed a voluntary petition under Chapter 7 of the Bankruptcy Code on behalf of Rio Vista in the Bankruptcy Court. The Clerk of the Bankruptcy Court has assigned case number 14-26725 to the case of Rio Vista.

6. On September 30, 2014, the Bankruptcy Court entered an Order [Case No. 13-38118, Docket No. 217] providing for the joint administration of the John Mavroudis Bankruptcy Case and the bankruptcy case of Rio Vista Rentals LLC.

7. After a thorough investigation and a series of settlement negotiations, the Chapter 7 Trustee was able to reach a consensual global agreement by and among himself in the capacity as the Chapter 7 Trustee of the Debtors, the Debtors, Anne Mavroudis (the Debtor’s ex-wife), and Alpine Galleries LLC, that was in the best interest of all creditors.

8. Shortly, thereafter, on February 23, 2016, the Chapter 7 Trustee filed the *Motion of the Chapter 7 Trustee for Entry of Order Approving Settlement Agreement and Mutual General Release* (the “Settlement Motion”) [Docket No. 320]. The Chapter 7 Trustee served the Settlement Motion upon all creditors including William Shubert.

9. A material term of the Settlement Motion was that the Chapter 7 Trustee agreed to file a notice of abandonment of the estate's interest in the real property known as Agio Savvas Nisyros Greece (the "Greece Property").

10. No objections to the Settlement Motion were filed, and therefore, on April 15, 2016, an Order was entered granting the Settlement Motion (the "Settlement Approval Order").

11. On July 25, 2016, pursuant to the Settlement Approval Order, the Chapter 7 Trustee filed the *Notice of Proposed Abandonment* for the Greece Property [Docket No. 339].

12. The Objection of Mr. Shubert is moot and must be denied.

WHEREFORE, for the reasons set forth above, the Chapter 7 Trustee respectfully requests the entry of an order (i) denying the relief sought in the Objection, and (ii) granting such further and other relief to the Chapter 7 Trustee as the Court deems just and proper.

Dated: August 22, 2016
Newark, New Jersey

McCARTER & ENGLISH, LLP

/s/ Charles A. Stanziale
Charles A. Stanziale, Jr.
Jeffrey Testa
Four Gateway Center
100 Mulberry Street
Newark, NJ 07102
Telephone: (973) 622-4444
Email: cstanziale@mccarter.com
Email: jtesta@mccarter.com

Counsel to the Chapter 7 Trustee